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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/563,950

01/25/2006

Bruno Bassi

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26936 7590 11/25/2008  
SHOEMAKER AND MATTARE, LTD  
10 POST OFFICE ROAD - SUITE 110  
SILVER SPRING, MD 20910

EXAMINER

KERNS, KEVIN P

ART UNIT

PAPER NUMBER

1793

MAIL DATE

DELIVERY MODE

11/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/563,950

Examiner

Kevin P. Kerns

Applicant(s)

BASSI, BRUNO

Art Unit

1793

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 19 September 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 2. Abstract:
- ☒ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☒ B. Other See Continuation Sheet.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Kevin P. Kerns/  
Primary Examiner, Art Unit 1793

## Continuation of 2(b) Other:

On page 7 of the remarks/arguments section, the applicant stated that "The abstract has been rewritten in a single paragraph" (in response to the examiner's abstract objection in section 1 of the Office Action mailed June 12, 2008). However, no abstract was received and/or provided in the amendment (9 pages total, of which page 1 is a cover sheet, pages 2-6 are the listing of claims, and pages 7-9 are the remarks/arguments, with attorney's signature on page 9). As a result, it is believed that the applicant inadvertently did not provide an abstract, and a replacement abstract is requested.

## Continuation of 4(e) Other:

On page 7 of the remarks/arguments section, the applicant stated that the claim objections and 35 USC 112, 2nd paragraph rejections (of sections 2 and 3, respectively, of the Office Action mailed June 12, 2008) were addressed/corrected. However, it is noted that many of the objections to the claims in section 2 of the Office Action were NOT addressed -- namely for claim 28 (3<sup>rd</sup> line), claim 29 (2<sup>nd</sup> line), claim 39 (2<sup>nd</sup> line), and claim 47 (2<sup>nd</sup> line). In addition, the applicant did not address the last one of the 35 USC 112, 2<sup>nd</sup> paragraph rejections for claim 43 (the antecedent basis issues that include "the bench", "the latter", and "the hinged side". Corrections that address these claim objections and 35 USC 112, 2<sup>nd</sup> paragraph rejections are requested.